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March 11, 2009

Ms. Victoria Rutson
Chief, Section of Environmental Analysis
395 E. Street, S.W.
Washington, DC 20423

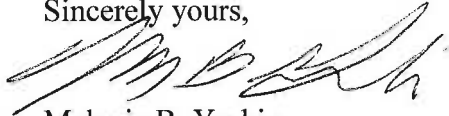
RE: Docket No. AB-511 (Sub-No. 4X), *Central Railroad Company of Indianapolis—
Abandonment Exemption—Howard County, IN.*

Dear Ms. Rutson:

Enclosed are responses from the U.S. Army Corps of Engineers and the National Park Service in this proceeding. The National Park Service states that it has no comment on the proposed action. The U.S. Army Corps of Engineers states that a Department of the Army permit will not be required if track material, cross ties, or ballast is removed and placed in an upland site.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,



Melanie B. Yasbin
Attorney for Central Railroad Company of Indianapolis

Enclosures



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
INDIANAPOLIS REGULATORY OFFICE
9799 BILLINGS ROAD
INDIANAPOLIS, INDIANA 46216-1055
<http://www.lrl.usace.army.mil>
February 25, 2009

Operations Division
Regulatory Branch (North)
ID No. LRL-2009-157-cmh

Ms. Melanie B. Yasbin
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204

Dear Ms. Yasbin:

This is in regard to your letter of February 5, 2009, concerning the proposed 5.18-mile rail line abandonment by the Central Railroad Company of Indianapolis in Howard County, Indiana. We have reviewed the submitted data relative to Section 404 of the Clean Water Act.

We concur that if any metal track material, cross ties, or ballast is removed, and placed in an upland site, a Department of the Army permit will not be required. Authorization would be required only if the placement of dredged or fill material is necessitated, permanently or temporarily, into any "waters of the United States", including jurisdictional wetlands. In such case, you should resubmit that portion of the project for additional review. Our comments on this project are limited to only those effects which may fall within our area of jurisdiction.

If we can be of any further assistance, please contact me by writing to the above address or by calling 317-532-4198. Any correspondence on this matter should reference our assigned Identification Number LRL-2009-157-cmh.

Sincerely,

Max Hagan
Team Leader
Indianapolis Regulatory Office

Copy Furnished: SEA-STB

Re: Central Railroad Company of Indianapolis Abandonment Exemption, Docket No. AB-511
(Sub-No. 4X), Howard County, Indiana

We have received your letter of February 5, 2009 concerning the above referenced project.

- ☒ We have no comment on your proposed actions.
- ☒ Please address any further correspondence about this project or any project to the following address:

Regional Environmental Coordinator
National Park Service
Midwest Regional Office
601 Riverfront Drive
Omaha, NE 68102

Due to limited staff and the number of requests we receive for early coordination, we ask that companies/agencies assume we will have no comments on projects if they have not heard from us within 30 days of our receipt of the request.

Thank you,

Regional Environmental Coordinator